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10/780,215	02/17/2004	Katsushi Horihata	P1345US	9459
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CASELLA & HESPOS 274 MADISON AVENUE NEW YORK, NY 10016			EXAMINER	
			SINGH, SATWANT K	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/780,215	Applicant(s) HORIHATA, KATSUSHI
	Examiner SATWANT K. SINGH	Art Unit 2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 27 March 2008.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-7,11 and 12 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-7,11 and 12 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 17 February 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/06)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____

5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on 27 March 2008.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 5, 7, and 11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 5, 6, 11, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Uchiyama et al. (US 7,199,893).
5. Regarding Claim 5, Uchiyama et al discloses a document server (Fig. 1, facsimile server 107 and printer server 108). so configured as to receive print data from a contents server (Fig. 1, printing request administration server 105) providing various information via the Internet (Fig. 1 network 106) and to send the print data to a remotely installed image forming apparatus (Fig. 1, facsimile apparatus 110) via the Internet (Fig. 1 network 106) to allow the image forming apparatus to print the print data, the document server comprising: communicating means which communicates various data

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with the contents server (facsimile server receives form the printing request administration server vial the Internet print requesting data) (col. 10, lines 11-16) and the image forming apparatus (document outputted with the print outputting device at the print outputting destination) (col. 10, lines 35-38); storage means which stores print data sent from the contents server therein (Fig. 4, storage part 1075 of the facsimile server 107) (col. 10, lines 20-23); data retrieving means which retrieves, from the print data storage means, the print data designated by a command requesting transmission of the print data from the image forming apparatus (control part obtains the document from the data storage part of the facsimile server) (col. 10, lines 20-23); print fee accounting means which calculates a print fee in accordance with the number of copies of the print data retrieved by the data retrieving means and stores the print fee as print-fee-related accounting data (control part displays billing information for the document on the terminal so that approval of the bill for the document is obtained) (col. 10, lines 23-29) (*it is being interpreted by the examiner that the file size includes the number of copies since the fee is determined on the file size, the number of copies will directly affect the fee*); and communication controlling means which controls the communicating means to send the print data (document outputted with the print outputting device at the print outputting destination) (col. 10, lines 35-38) and the print-fee-related accounting data to the image forming apparatus (MFP is provided with a fee collecting device) (col. 21, lines 17-25).

6. Regarding Claim 6, Uchiyama et al discloses a document server, wherein the communications controlling means controls the communicating means to send, to the

image forming apparatus, the print-fee-related accounting data calculated by the print fee accounting means, and accounting data indicative of an information fee relating to the print data sent from the contents server (control part displays billing information for the document on the terminal so that approval of the bill for the document is obtained) (col. 10, lines 23-29).

7. Regarding Claim 11, Uchiyama et al discloses an image forming apparatus so configured as to receive print data, via the Internet, from a document server communicatively connected therewith via the Internet to output the print data, the apparatus comprising: accepting means which accepts a command requesting transmission of print data (document outputted with the print outputting device at the print outputting destination) (col. 10, lines 35-38); transmitting means which sends the command requesting transmission of the print data to the document server (facsimile modem for inputting from and outputting to a publicly-switched network) (col. 10, lines 7-8); receiving means which receives, from the document server, the print data designated by the command requesting transmission of the print data (document outputted with the print outputting device at the print outputting destination) (col. 10, lines 35-38); outputting means which prints out the print data received by the receiving means (document outputted with at outputting device at the print outputting destination (col. 16, lines 1-3); and fee collecting means which collects a print fee from the user based on accounting data which the receiving means receives from the document server when the outputting means outputs the print data (MFP is provided with a fee collecting device) (col. 21, lines 17-25).

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8. Regarding Claim 12, Uchiyama et al discloses an apparatus, wherein the fee collecting means is controlled to collect a certain fee from the user based on the accounting data indicative of an information fee relating to the print data and the print fee both of which the receiving means receives from the document server (MFP is provided with a fee collecting device) (col. 21, lines 17-25).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 1, 2, and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuda et al. (US 7,034,952) in view of Uchiyama et al. (US 7,199,893).

11. Regarding Claim 1, Okuda et al teaches a wide area network printing system so configured that a contents server (print service server 100) providing various information is operated to send print data to a document server (print service shop 101) via the Internet, and the document server is operated to send the print data to a remotely installed image forming apparatus (Fig. 5, printer 509) via the Internet to allow the image forming apparatus to print the print data, wherein the contents server includes: data sending/receiving means which communicates various data including print data with a communications terminal of a user and the document server (user accesses the print service server and instructs the print service server to print a designated document at the print service shop) (col. 3, lines 19-26); data storage means which stores the print

data therein (Fig. 4, job unit 455) (col. 4, lines 11-13); controlling means (job distributor 404) which controls the data storage means to read out the print data designated by a command requesting printout of the print data and controls the data sending/receiving means to send the print data to the document server (job distributor sequentially transfers job data still not processed and under management by the job unit to the designated print service shop) (col. 4, lines 17-19) when the data sending/receiving means receives the command requesting printout of the print data from the communications terminal (user instructs the print service server to print a designated document at the print service shop) (col. 3, lines 19-26); and information fee accounting means (Fig. 4, fee computer 408) which calculates an information fee relating to the print data and charges the user for the information fee when the data sending/receiving means sends the print data to the document server (fee computer computes a fee to be claimed to the job result in accordance with various charge conditions) (col. 4, lines 35-38), the document server includes: communicating means which communicates various data including the print data with the contents server and the image forming apparatus (user accesses the print service server and instructs the print service server to print a designated document at the print service shop) (col. 3, lines 19-26); storage means which stores the print data sent from the contents server therein (Fig. 5, job unit 555) (col. 5, lines 45-48); data retrieving means which retrieves, from the storage means, the print data designated by a command requesting transmission of the print data sent from the image forming apparatus (Fig. 5, job distributor 504) (job distributor sequentially transfers job data still not processed and under management by the job unit to the

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printer to execute the job) (col. 5, lines 54-59); print fee accounting means which calculates a print fee in accordance with the number of copies of the print data retrieved by the data retrieving means (number of copies) (col. 1, lines 43-45)(*since the fee computer of the print service server computes a fee to be claimed to the job result in accordance with various charge conditions, it is assumed by the examiner that one of the charge conditions is the number of copies*), and stores the print fee as print-fee-related accounting data (fee system unit 553) (col. 6, lines 20-23); and communication controlling means which controls the communicating means to send the print data (Fig. 8, S808, job is processed) (col. 7, lines 13-46) and the print-fee-related accounting data to the image forming apparatus (Fig. 8, S811, executing a fee computation process) (col. 7, lines 13-46), and the image forming apparatus. (Fig. 1, printer)

Okuda et al fails to teach a network printing system wherein the image forming apparatus includes: accepting means which accepts the command requesting transmission of the print data; transmitting means which sends the command requesting transmission of the print data inputted from the accepting means to the document server; receiving means which receives the print data and the print-fee-related accounting data from the document server; outputting means which prints outs the received print data; and fee collecting means which collects the print fee from the user based on the print-fee-related accounting data when the receiving means receives the print-fee-related accounting data from the document server.

Uchiyama et al teaches a network printing system wherein the image forming apparatus includes: accepting means which accepts the command requesting

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transmission of the print data (document outputted with the print outputting device at the print outputting destination) (col. 10, lines 35-38); transmitting means which sends the command requesting transmission of the print data inputted from the accepting means to the document server (facsimile modem for inputting from and outputting to a publicly-switched network) (col. 10, lines 7-8); receiving means which receives the print data (document outputted with the print outputting device at the print outputting destination) (col. 10, lines 35-38) and the print-fee-related accounting data from the document server (MFP is provides with a fee collecting device) (col. 21, lines 17-25); outputting means which prints outs the received print data (document outputted with at outputting device at the print outputting destination (col. 16, lines 1-3); and fee collecting means which collects the print fee from the user based on the print-fee-related accounting data when the receiving means receives the print-fee- related accounting data from the document server (MFP is provides with a fee collecting device) (col. 21, lines 17-25).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Okuda with the teaching of Uchiyama to allow a user to directly connect to a remote printer at a print shop to improve user fee settlement convenience for remote printing of documents.

12. Regarding Claim 2, Okuda et al teaches a system, wherein the information fee accounting means of the contents server is controlled to charge the user for the information fee relating to the print data when the data sending/receiving means sends the print data to the communications terminal (fee computer computes a fee to be

claimed to the job result in accordance with various charge conditions) (col. 4, lines 35-38).

13. Regarding Claim 4, Okuda et al teaches a system, wherein the controlling means of the contents server controls the data sending/receiving means to send the print data to the document server (Fig. 8, S807, accept job after settlement status is checked) when the data sending/receiving means receives the command requesting printout of the print data (Fig. 6, S804, user terminal requests print), and controls the data sending/receiving means to send the print-data-related information fee calculated by the information fee accounting means to the document server as print-data- related accounting data (fee computer computes a fee to be claimed to the job result in accordance with various charge conditions) (col. 4, lines 35-38).,

Okuda et al fails to teach the communication controlling means of the document server controls the communicating means to send, to the image forming apparatus, the print-data-related accounting data calculated by the information fee accounting means, and the print-fee- related accounting data calculated by the print fee accounting means, and the fee collecting means of the image forming apparatus is controlled to collect from the user a certain fee based on the print-data-related accounting data and the print-fee- related accounting data.

Uchiyama et al teaches the communication controlling means of the document server controls the communicating means to send, to the image forming apparatus, the print-data-related accounting data calculated by the information fee accounting means, and the print-fee- related accounting data calculated by the print fee accounting means

(document outputted with the print outputting device at the print outputting destination) (col. 10, lines 35-38), and the fee collecting means of the image forming apparatus is controlled to collect from the user a certain fee based on the print-data-related accounting data and the print-fee-related accounting data (MFP is provided with a fee collecting device) (col. 21, lines 17-25).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Okuda with the teaching of Uchiyama to allow a user to directly connect to a remote printer at a print shop to improve user fee settlement convenience for remote printing of documents.

14. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okuda et al. (US 7,034,952) in view of Aoki (US 2002/0035546).

15. Regarding Claim 7, Okuda teaches a contents server (print service server 100) so configured as to send print data to a document server (print service shop 101) via the Internet and to allow a remotely installed image forming apparatus (Fig. 5, printer 509) to print the print data via the Internet, the contents server (print service server 100) comprising: data sending/receiving means which communicates various data including print data with a communications terminal of a user and the document server (user accesses the print service server and instructs the print service server to print a designated document at the print service shop) (col. 3, lines 19-26); controlling means which controls the data sending/receiving means to send the print data to the document server (job distributor sequentially transfers job data still not processed and under management by the job unit to the designated print service shop) (col. 4, lines 17-19)

when the data sending/receiving means receives a command requesting printout of the print data from the communications terminal (user instructs the print service server to print a designated document at the print service shop) (col. 3, lines 19-26); and information fee accounting means which calculates an information fee relating to the print data and charges the user for the information fee when the data sending/receiving means sends the print data to the document server (fee computer computes a fee to be claimed to the job result in accordance with various charge conditions) (col. 4, lines 35-38).

Okuda et al fails to teach wherein the information fee accounting means is controlled to charge the user for the information fee relating to the print data when the data sending/receiving means sends the print data to the communications terminal, and the controlling means controls the data sending/receiving means to send, to the document server, print data in which additional information is added to the print data sent to the communications terminal, as additional-information-included print data when the data sending/receiving means receives the command requesting printout of the print data, and controls the information fee accounting means to charge the user for the information fee relating to the additional-information-included print data by adding a surcharge when the data sending/receiving means sends the additional-information-included print data to the document server.

Aoki teaches wherein the information fee accounting means is controlled to charge the user for the information fee relating to the print data when the data sending/receiving means sends the print data to the communications terminal (provider

collects the (provider collects the printing charge required to user the printing system) (page 7, paragraph [0126]), and the controlling means controls the data sending/receiving means to send, to the document server, print data in which additional information (users are further required to pay a predetermined additional charge each time they print out data using the printing system) (page 7, paragraph [0128]) is added to the print data sent to the communications terminal, as additional-information-included print data (color/monochrome printing) (page 7, paragraph [0128]) when the data sending/receiving means receives the command requesting printout of the print data (user performs a predetermined operation of the input section of the cellular phone in order to send print request information from the cellular phone) (page 6, paragraph [0120]), and controls the information fee accounting means to charge the user for the information fee relating to the additional-information-included print data by adding a surcharge information (users are further required to pay a predetermined additional charge each time they print out data using the printing system) (page 7, paragraph [0128]) when the data sending/receiving means sends the additional-information-included print data (color/monochrome) (page 7, paragraph [0128])to the document server (user performs a predetermined operation of the input section of the cellular phone in order to send print request information from the cellular phone) (page 6, paragraph [0120]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Okuda with the teaching of Aoki to

charge a user an additional fee for printing a color document versus a monochrome document.

16. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okuda and Uchiyama as applied to claim1 above, and further in view of Aoki (US 2002/0035546).

Regarding Claim 3, Okuda and Uchiyama fail to teach wherein the controlling means of the contents server controls the data sending/receiving means to send, to the document server, print data in which additional information is added to the print data sent to the communications terminal (user performs a predetermined operation of the input section of the cellular phone in order to send print request information from the cellular phone) (page 6, paragraph [0120]), as additional-information-included print data (color/monochrome) (page 7, paragraph [0128]) when the data sending/receiving means receives the command requesting printout of the print data (user performs a predetermined operation of the input section of the cellular phone in order to send print request information from the cellular phone) (page 6, paragraph [0120]) , and controls the information fee accounting means to charge the user for an information fee relating to the additional-information-included print data by adding a surcharge (users are further required to pay a predetermined additional charge each time they print out data using the printing system) (page 7, paragraph [0128]) when the data sending/receiving means sends the additional-information-included print data (color/monochrome) (page 7, paragraph [0128]) to the image forming apparatus (user performs a predetermined

operation of the input section of the cellular phone in order to send print request information from the cellular phone) (page 6, paragraph [0120]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Okuda with the teaching of Aoki to charge a user an additional fee for printing a color document versus a monochrome document.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SATWANT K. SINGH whose telephone number is (571)272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Satwant K. Singh
Examiner
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